

**From:** [Adam Tuckman](#)  
**To:** [Pittman, Douglas E.](#); [Kelly Bundy](#); [Kimberly Castleman](#); [Carter Reid](#); [Dominick Weinkam](#); [Leslie Osman](#); [Brittney M. Wiesner](#); [Henry O. Taylor](#)  
**Cc:** [Lumpkin, Hugh](#); [Graumlich, Betty S.W.](#); [Nemeroff, Garrett S.](#); [Butensky, Wesley A.](#)  
**Subject:** RE: ZP v. Huffman/Travelers v. AUB - Discovery Issues  
**Date:** Tuesday, March 18, 2025 5:34:43 PM

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Doug,

■ [REDACTED]

■ [REDACTED]

3. Regarding the “underwriting file,” you provided one unpublished case, and I provided my client’s concerns regarding the applicability of that decision to our case here. In light of our previous discussion, we have been continuing to research and consider the issue and investigate the types of documents that may be available within what you call the “underwriting file” to determine if there is a basis for compromise or standing on our objection in full. In addition, since our last call, ZP has sought to amend ZP’s complaint. A clear statement of the discoverability of these documents was now essential, as I wanted to make sure your position has not changed in some way, or relate to the proposed amended complaint before the court grants leave or Travelers has a chance to respond. Thank you for confirming that the “underwriting file” request is based on Travelers’ discharge defense and affirmative claim. I will be able to discuss this issue with you further very soon.

■ [REDACTED]

Regards,

Adam M. Tuckman | PARTNER

**Watt, Tieder, Hoffar & Fitzgerald, LLP**

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**From:** Pittman, Douglas E. <DPittman@reedsmith.com>

**Sent:** Tuesday, March 18, 2025 4:56 PM

**To:** Adam Tuckman <ATUCKMAN@watttieder.com>; Kelly Bundy <KBundy@hirschlerlaw.com>; Kimberly Castleman <KCastleman@hirschlerlaw.com>; Carter Reid <creid@watttieder.com>; Dominick Weinkam <dweinkam@watttieder.com>; Leslie Osman <losman@watttieder.com>; Brittney M. Wiesner <bwiesner@watttieder.com>; Henry O. Taylor <htaylor@watttieder.com>

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**Subject:** RE: ZP v. Huffman/Travelers v. AUB - Discovery Issues

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Adam:

[REDACTED]

[REDACTED]

Regarding your request for a written explanation that underwriting files are discoverable, ZP served its RFPs requesting the underwriting files on January 27. The parties met and conferred on February 12 and discussed (among other things) production of Travelers' underwriting files. In advance of the meet and confer, we provided legal authority supporting our position that underwriting files are discoverable. On February 13 we submitted a written compromise to Travelers that aimed to resolve that issue, as well as other issues regarding the relevant time frame for email discovery and Travelers' objections to ZP's requests for Huffman financial documents. If Travelers needed a written explanation regarding the discoverability of the underwriting file, it certainly would have been helpful to know that before a month had passed. All that being said, and as we relayed during the meet and confer, the underwriting file is discoverable because it is relevant to Travelers' surety discharge claim and the credibility of Travelers' witnesses to the extent they intend to testify that ZP's conduct materially altered the risk Travelers agreed to insure when issuing the bond to Huffman.

[REDACTED]

[REDACTED]

[REDACTED]

-Doug

**Doug Pittman**  
*He/Him/His*

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**From:** Adam Tuckman <[ATUCKMAN@watttieder.com](mailto:ATUCKMAN@watttieder.com)>  
**Sent:** Friday, March 14, 2025 4:00 PM  
**To:** Pittman, Douglas E. <[DPittman@reedsmith.com](mailto:DPittman@reedsmith.com)>; Kelly Bundy <[KBundy@hirschlerlaw.com](mailto:KBundy@hirschlerlaw.com)>; Kimberly Castleman <[KCastleman@hirschlerlaw.com](mailto:KCastleman@hirschlerlaw.com)>; Carter Reid <[creid@watttieder.com](mailto:creid@watttieder.com)>; Dominick Weinkam <[dweinkam@watttieder.com](mailto:dweinkam@watttieder.com)>; Leslie Osman <[losman@watttieder.com](mailto:losman@watttieder.com)>; Brittney M. Wiesner <[bwiesner@watttieder.com](mailto:bwiesner@watttieder.com)>; Henry O. Taylor <[htaylor@watttieder.com](mailto:htaylor@watttieder.com)>  
**Cc:** Lumpkin, Hugh <[hlumpkin@reedsmith.com](mailto:hlumpkin@reedsmith.com)>; Graumlich, Betty S.W. <[BGraumlich@ReedSmith.com](mailto:BGraumlich@ReedSmith.com)>; Nemeroff, Garrett S. <[GNemeroff@reedsmith.com](mailto:GNemeroff@reedsmith.com)>; Butensky, Wesley A. <[WButensky@reedsmith.com](mailto:WButensky@reedsmith.com)>  
**Subject:** RE: ZP v. Huffman/Travelers v. AUB - Discovery Issues

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External E-Mail - FROM [ATUCKMAN@watttieder.com](mailto:ATUCKMAN@watttieder.com) <[atuckman@watttieder.com](mailto:atuckman@watttieder.com)>

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Doug,

[REDACTED]

[REDACTED]

[REDACTED]

Regarding the underwriting file objection, we have been considering it as well. Prior to a second meet and confer, and as Travelers makes its decision regarding potential options to discuss in the meet and confer for good faith compromise, or whether to stand on its objection, we request that ZP articulate in writing the basis for its position that the underwriting files are discoverable given the claims and defenses raised in the pleadings.

[REDACTED]

Regards,

Adam M. Tuckman | PARTNER

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